

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**In re:**

**JACOB WRIGHT  
LISALYN WRIGHT**

**CHAPTER 7  
CASE No. 19-71163**

**LISALYN WRIGHT  
Movant**

**v.**

**EDDY ABDELMESSIH**  
391 Meadow Lark Lane  
Bluff City TN 37618-0000

**MOTION FOR CONTEMPT FOR VIOLATION OF AUTOMATIC  
STAY**

Now comes your Debtor, by counsel and for her motion states as follows:

1. The Debtor filed a petition under Chapter 7 seeking relief under United States Bankruptcy Code on August 29, 2019.
2. The respondent Eddy Abdelmessh was duly listed as a creditor in this case, by amendment, and was given notice of the filing of the case by counsel for the Debtors to his address as shown on the creditor matrix, being 391 Meadow Lark Lane, Bluff City TN 37618-0000
3. Jurisdiction arises in this Court pursuant to 28 U.S.C. section 157. This is a core proceeding.

4. Your movant Lisalynn Wright would allege that the respondent has, with knowledge of the filing of her bankruptcy, have acted to violate the provisions of 11 U.S.C. section 362.

6. In particular, the movant would allege that Eddy J Abdelmessih has filed suit against the Movant and refused to dismiss the suit. He has made over ten calls to the movant and on Monday October 21, 2019 after his suit in General District Court in Washington County Virginia was dismissed, he sent an email which reads:

“I just tried calling you. I’ll keep this brief. I am @ HUB & although there is enough money in the account, I cannot cash the check for \$2000 because it is past the date. That being said, I ended up here to get paperwork to file a criminal suit. The chief of police in Abingdon has agreed to sign of on the charge & I was accompanied to the magistrates office by an officer to proceed. I am letting you know this because I would like to give you the opportunity to make right on the check. If not, then I will move forward criminally & you will have to pay restitution to the court for \$2000 plus any court costs. Either way, I will be getting that money. The only difference is that you will be charged criminally & you will have a felony on your record. That means you can’t vote, get a loan, etc. regardless of you filing bankruptcy. If this is not sufficient information for you then I would advise you to please call your attorney. He/she will tell you the same thing. Please respond ASAP before I take action. I don’t want you to have a criminal record. “

7. Your movant would allege that these calls and messages have caused her great emotional harm and distress, along with embarrassment. Your movant would allege that these willful intentional acts should be severely punished by awarding actual and punitive damages to her against the respondent. The Respondent knows that

these threats are illegal and that any check he received was for third party damage and not for any consideration to him.

Wherefore, your Debtor prays that this Court find that the respondent is in violation of the automatic stay, that he be required to appear in front of this Court to answer why he has willfully disregarded the automatic stay, that he be required to pay compensatory and punitive damages to the movant, in an amount sufficient to prevent him from ever violating the automatic stay again and , that he be required to pay reasonable attorney's fees for bringing this action.

#### MOTION TO SHORTEN NOTICE

The Debtor prays that the Court shorten notice, so that the calls, lawsuit and threats can be stopped.

#### NOTICE OF HEARING

Take notice that on the 7<sup>th</sup> day of November , 2019 at 10:30 AM, in the United States Bankruptcy Court in Abingdon, 180 W. Main St, Abingdon, VA 24210 the undersigned will move United States Bankruptcy Court for the entry of an order holding the Respondent in contempt and seek the assessment of actual and punitive damages for their violation of the automatic stay.

**Lisalyn Wright**  
-By Counsel-

/s/ Robert T. Copeland  
Robert T. Copeland, VSB #14575  
**SCOT S. FARTHING, ATTORNEY AT LAW, P.C.**  
P.O. Box 1296  
Abingdon, VA 24212  
(276) 628-9525

**CERTIFICATE OF SERVICE**

I, Robert T. Copeland, do hereby certify that true copies of the foregoing have this the 22nd day of October, 2019 been mailed via Certified Mail Return Receipt, and by First Class Mail to the respondent at the addresses shown in the caption above and the Chapter 7 Trustee.

/s/ Robert T. Copeland  
Robert T. Copeland